

**RESOLUTION ADOPTING A NEGATIVE DECLARATION
FOR A SUBDIVISION APPLICATION**

*Patriot Bluff Development
(Lands of RPA Associates)
PB # 01-65 & 1-66*

WHEREAS, an application was made to the Planning Board of the Town of New Windsor for approval of a site plan and subdivision plat by RPA Associates (the "applicant") for a project described as the "Patriot Bluff Development";

WHEREAS, the subject site consists of 55 acres of land, located southwest of the intersection of NYS Route 32 and Union Avenue (CR69) and comprised of one tax map parcel in the Town of New Windsor, and designated on the tax map as Section 4, Block 2, and Lot 21.2; and

WHEREAS, the proposed action is for a proposed 178 unit residential development known as Patriot Bluff (the "Project"). The Project is one part of a Planned Unit Development ("PUD") approved by the Town of New Windsor Town Board in 1989. The PUD granted concept approval for a 100,000 square foot retail center, 500 residential units and 15,000 square feet of office space on parcels totaling 152.5 acres. The PUD was the subject of an Environmental Impact Statement (EIS) and, on November 15, 1989, the Town Board, as lead agency, issued a SEQR Findings Statement. The current Project sponsor, RPA Associates, LLC ("RPA"), acquired the PUD in 1999. Thereafter, RPA obtained Planning Board approvals and constructed the Patriot Ridge Condominium complex and a portion of the retail center known as Patriot Plaza; and

WHEREAS, in 2004, RPA made further application to the Planning Board for a single-family subdivision known as "Patriots Estates Subdivision" and a condominium complex known as "Patriot Bluff Condominium Projects". On June 14, 2004 the Planning Board determined that a Supplemental Draft Environmental Impact Statement (SDEIS) must be prepared to evaluate potential significant impacts from the proposed subdivision and condominium complex relating to drainage, wetlands, sewer, water, transportation, schools and community character. A Final SEQR Scoping Document was adopted by the Planning Board on February, 2005. In 2007, RPA modified its application to eliminate the single family detached subdivision and pursue the subject 178 unit residential Project. Additional

3. The EAF and DSEIS submitted by the applicant has been fully reviewed and considered by the Planning Board;
4. Having reviewed with due care and diligence the EAF and DSEIS submitted by the applicant, the application herein and all pertinent documentation and testimony received at the public hearing, it is determined, pursuant to 6 NYCRR 617.9 (5) (i) (b), that the proposed action will not have, nor does it include, the potential for significant adverse environmental impacts;
5. The Planning Board hereby adopts the SEQRA "Negative Declaration" annexed hereto.

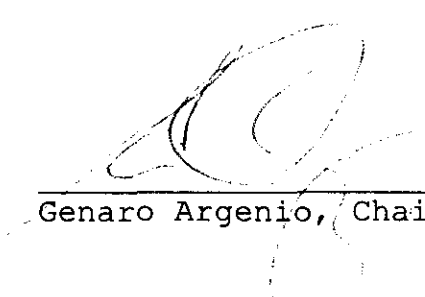
Upon motion made by Member Henry Vanleeuwen, seconded by Member Neil Schlesinger, the foregoing resolution was adopted as follows:

Member, Daniel Gallagher	<u>Aye</u>	Nay	Abstain	Absent
Member, Howard Brown	<u>Aye</u>	Nay	Abstain	Absent
Member, Neil Schlesinger	<u>Aye</u>	Nay	Abstain	Absent
Member, Henry Vanleeuwen	<u>Aye</u>	Nay	Abstain	Absent
Chairman, Genaro Argenio	<u>Aye</u>	Nay	Abstain	Absent

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Alternate, Henry Schieble	Aye	Nay	Abstain	<u>Absent</u>
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Dated: August 19, 2009
New Windsor, New York



Genaro Argenio, Chairman